

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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OREXO AB,	:	Civil Action No. 11-3788 (MAS)(LHG)
Plaintiff,	:	
v.	:	
MYLAN PHARMACEUTICALS, INC., et al.	:	
Defendants.	:	

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**ORDER**

This matter having come before the Court by the Parties' letters submitted on August 9, 2012, August 10, 2012, August 13, 2012 and August 17, 2012 (Dkt. Nos. 80-84) seeking clarification of this Court's August 1, 2012 Order, it is hereby ordered that:

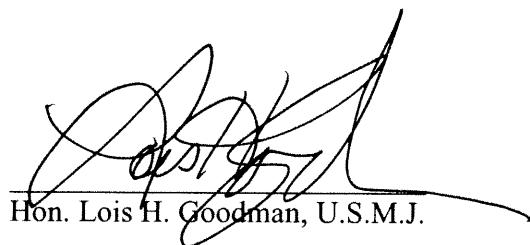
- (1) Mylan is not permitted to supplement its claim construction positions by identifying and relying on new evidence with regard to claim construction other than evidence from Orexo's New Drug Application ("NDA"), or other information obtained from Orexo after the claim construction submission, without otherwise satisfying the obligations of Local Patent Rule 3.7.
- (2) The schedule shall be amended as follows:

Defendants' identification of evidence from Orexo's NDA and other information obtained from Orexo after submission of the Joint Claim Construction and Prehearing Statement	August 24, 2012
Plaintiff's supplemental identification of intrinsic and extrinsic evidence on which it intends to rely in opposing Mylan's proposed claim constructions	August 31, 2012
Plaintiff's and Defendants' filing of the Revised Joint Claim Construction and Pre-hearing Statement	September 14, 2012
Plaintiff's and Defendants' filing and service of opening <i>Markman</i> briefs	October 5, 2012
Telephone Conference (Plaintiff to initiate)	October 12, 2012, 9:30 AM EST
Plaintiff and Defendants to propose schedule for Claim Construction Hearing	October 16, 2012

Conclusion of any discovery from an expert witness who submitted a certification or declaration under L. Pat. R. 4.5(a)	November 6, 2012
Plaintiff's and Defendants' filing and service of responding <i>Markman</i> briefs	December 7, 2012
Plaintiff's and Defendants' deadline for producing and providing material related to party's reliance on advice of counsel as part of patent-related claim or defense	March 7, 2013
Conclusion of fact discovery	March 14, 2013
Plaintiff's and Defendants' service of affirmative expert reports	April 16, 2013
Plaintiff's and Defendants' service of rebuttal expert reports	May 17, 2013
Plaintiff's and Defendants' service of reply expert reports	June 12, 2013
Conclusion of all expert discovery	July 12, 2013
Plaintiff's and Defendants' deadline for filing dispositive motions	July 31, 2013

IT IS SO ORDERED.

August 29, 2012



Hon. Lois H. Goodman, U.S.M.J.